

961178-DXR1 *clerk*



State of New Jersey

Department of Environmental Protection
Land Use Regulation Program

P O Box 439

501 East State Street
Trenton, NJ 08625-0439

Fax: (609) 292-8115

www.state.nj.us/dep/landuse

Bradley M. Campbell
Commissioner

James E. McGreevey
Governor

FEB 24 2003

Mr. Jayson W. Romig
Buchart-Horn, Inc.
5 Eves Drive
Suite 310
Marlton, New Jersey 08053-3127

RE: Authorization for Freshwater Wetlands Statewide General Permit No. 7
LURP File No.: 1111-02-0002.1 FWW 020001
Applicant: NJDOT; Chan Shin, P.E.
Block: N/A; Lot: N/A
City of Trenton, Mercer County

Dear Mr. Romig:

The Land Use Regulation Program has reviewed the referenced application for a Statewide General Permit authorization pursuant to the requirements of the Freshwater Wetlands Protection Act Rules at N.J.A.C. 7:7A. The proposed activities are authorized by Statewide General Permit No.7, which authorizes activities in ditches of human construction or in swales.

Limit of Authorized Disturbance

Based on the plan entitled "NEW JERSEY DEPARTMENT OF TRANSPORTATION, ENVIRONMENTAL PLAN, SOUTHARD STREET BRIDGE REPLACEMENT, CONTRACT NO. MER961178", no dates provided on plan and prepared by Christopher D. Dwyer, this permit authorizes the disturbance of 0.008 acres (355 sf) of a ditch for replacement of the Southard Street bridge which shall include relocation of a 4 ft. by 4 ft. box culvert. The ditch shall be restored to its pre-construction conditions after completion of the project. Any additional disturbance of freshwater wetlands, State open waters or transition area shall be considered a violation of the Freshwater Wetlands Protection Act unless the activity is exempt or a permit is obtained prior to the start of the disturbance from the Land Use Regulation Program.

Permit Conditions

The activities allowed by this authorization shall comply with the following conditions. Failure to comply with these conditions shall constitute a violation of the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et seq.).

Special Conditions

1. The total amount of disturbance authorized by this permit shall not exceed 0.008 acres (355 sf).

In addition to the above conditions and the conditions noted at N.J.A.C. 7:7A-4 and -13, the following general conditions must be met for the activity authorized under this Statewide General Permit:

General conditions:

1. All fill and other earth work on the lands encompassed within this permit authorization shall be stabilized in accordance with "Standards for Soil Erosion and Sediment Control in New Jersey" to prevent eroded soil from entering adjacent waterways or wetlands at any time during and subsequent to construction.
2. This permit is revocable in accordance with DEP regulations and State law.
3. The issuance of this permit shall not be deemed to affect in any way other actions by the Department on any future application.
4. The activities shown on the approved plans shall be constructed and/or executed in conformity with any notes and details on said plans and any conditions stipulated herein.
5. No change in plans or specifications shall be made except with the prior written permission of the Department.
6. The granting of this authorization shall not be construed to in any way affect the title or ownership of the property, and shall not make the Department or the State a party in any suit or question of ownership of the property.
7. This permit is not valid and no work shall be undertaken pursuant to this authorization until all other required federal, state, and local approvals, licenses and permits necessary for commencement of work onsite have been obtained.
8. A complete, legible copy of this permit shall be kept at the work site and shall be exhibited upon request of any person.
9. The permittee shall allow the Program the right to inspect the construction site and also shall provide the Bureau of Coastal and Land Enforcement, NJDEP with written notification 7 days prior to the start of the authorized work.
10. This authorization is valid for five years from the date of this letter unless more stringent standards are adopted by rule prior to this date.

Transition Area

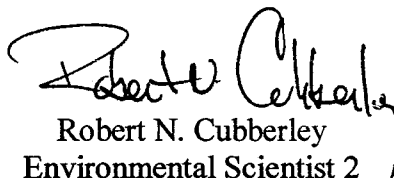
The feature affected by this authorization is of ordinary resource value. As per N.J.A.C. 7:7A-2.5(c) no standard transition area or buffer is required adjacent to this feature.

Appeal of Decision

In accordance with N.J.A.C. 7:7A-1.7, any person who is aggrieved by this decision may request a hearing within 30 days of the decision date by writing to: New Jersey Department of Environmental Protection, Office of Legal Affairs, Attention: Adjudicatory Hearing Requests, P.O. Box 402, Trenton, NJ 08625-0402. This request must include a completed copy of the Administrative Hearing Request Checklist.

If you have any questions regarding this authorization, please contact Evelyn M. Hall of our staff at (609)984-0194. Please reference the above file number.

Sincerely,



Robert N. Cubberley
Environmental Scientist 2
Bureau of Inland Regulation

- c. Bureau of Enforcement
City of Trenton Municipal Clerk
City of Trenton Municipal Construction Official